

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:09-cv-00361-MR**

MELISSA ANN SLUDER KING,

Plaintiff,

vs.

**CAROLYN W. COLVIN, Acting
Commissioner of Social Security,**

Defendant.

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ORDER

THIS MATTER is before the Court on the Plaintiff's Motion to Request Fees under the Equal Access to Justice Act [Doc. 35]. The Defendant does not oppose the Plaintiff's request for fees. [Doc. 36].

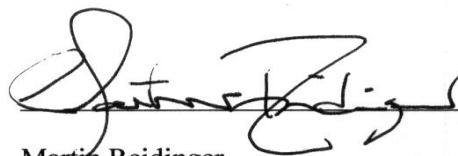
The Defendant moves the Court to enter an Order awarding her attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). [Doc. 35]. In light of the Court's prior remand of this matter, and in the absence of any contention by the Commissioner that her position was substantially justified or that special circumstances exist that would render an award of attorney's fees unjust, the Court concludes that the Plaintiff is entitled to an award of attorney's fees under the EAJA.

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion to Request Fees under the Equal Access to Justice Act [Doc. 35] is hereby **GRANTED**, and the Plaintiff is hereby awarded attorney's fees in the amount of One Thousand Seven Hundred and Twenty Dollars (\$1,720.00), which sum is in full satisfaction of any and all claims by the Plaintiff in this case pursuant to 28 U.S.C. § 2412(d).

IT IS FURTHER ORDERED that no additional Petition pursuant to 28 U.S.C. § 2412(d) may be filed.

IT IS SO ORDERED.

Signed: March 4, 2014


Martin Reidinger
United States District Judge

